



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,864	04/10/2001	Hans Carlsson	P12545-US1-BMOA	6952
24112	7590	03/29/2006	EXAMINER	
COATS & BENNETT, PLLC			HO, CHUONG T	
P O BOX 5			ART UNIT	
RALEIGH, NC 27602			PAPER NUMBER	
			2616	

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,864

Applicant(s)

CARLSSON ET AL.

Examiner

CHUONG T. HO

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2616

1. The amendment filed 01/30/06 have been entered and made of record.
2. Applicant's arguments with respect to claims 47-54 have been considered but are moot in view of the new ground(s) of rejection.
3. Claims 47-54 are pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 47, 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Mooney (U.S. Patent No. 6,577,723 B1).

In the claim 1, see figure 1, see col. 2, Mooney et al. discloses a network 10 which integrates a General Packet Radio Service (GPRS)-based short message service with an TIA/EIA 136/ANSI-41 network; comprising:

- A teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") for transfer packet data to and from a mobile station operating in TIA/EIA-136 network (see col. 2, lines 53-67, col. 3, lines 15-20);

Art Unit: 2616

- A first communication interface for connecting teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") to TIA/EIA-136 network (see col. 2, lines 53-67, col. 3, lines 15-20);
 - A second communication interface for connecting teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") to GPRS network (see col. 2, lines 53-67, col. 3, lines 15-20);
 - Interworking function (see col. 3, lines 51-67, the STP is enhanced to consider multiple routing tables. These routing tables associate a global title address with a routing destination. The STP is also enhanced to include logic title address to the changed in response to different criteria. The routing tables can be associated with a particular message type. For instance, the STP can include a GPRS routing table and an ANSI-41 routing table in addition to a standard routing table) enabling packet data traffic to routed between GPRS network and mobile station operating in TIA/EIA-136 network.
6. In the claim 51, see figure 1, see col. 2, Mooney et al. discloses a network 10 which integrates a General Packet Radio Service (GPRS)-based short message service with an TIA/EIA 136/ANSI-41 network; comprising:
- Receiving mobile originated packets at a teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") via a first communication interface from a mobile station via a TIA/EIA-136 network (see col. 2, lines 53-67, col. 3, lines 15-20);

Art Unit: 2616

- Forwarding mobile originated packets via a second communication interface from teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") to a General Packet Radio Service (GPRS) network (see col. 2, lines 53-67, col. 3, lines 15-20, col. 3, lines 51-67);
- Receiving mobile terminated packets for mobile station at teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") via second communication interface from GPRS (see col. 2, lines 53-67, col. 3, lines 15-20, col. 3, lines 51-67);
- Forwarding mobile terminated packets via first communication interface from teleservice server ("TIA/EIA 136/ANSI-41 26", "STP 24", "GPRS HLR 28") to mobile station (see col. 2, lines 53-67, col. 3, lines 15-20, col. 3, lines 51-67);

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 48, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney (U.S. Patent No. 6,577,723 B1) in view of Barany et al. (U.S. Patent No. 6,434,140 B1).

In the claims 48, 52, Mooney discloses the limitations of claim 47 above.

However, Mooney is silent to disclosing GPRS network comprises an Enhanced GPRS (EGPRS) network.

Barany et al. discloses GPRS network comprises an Enhanced GPRS (EGPRS) network (see col. 6, lines 30-31).

Both Mooney, Barany discloses the General Packet Radio Service. Barany recognizes

GPRS network comprises an Enhanced GPRS (EGPRS) network. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Mooney with the teaching of Barany to provide GPRS network which comprises an Enhanced GPRS (EGPRS) network in order to receive or send GPRS-based short message.

9. Claims 49, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney (U.S. Patent No. 6,577,723 B1) in view of Ramaswamy (U.S. Patent No. 6,480,717 B1).

In the claims 49, 53, Mooney discloses the limitations of claim 47 above.

However, Mooney is silent to disclosing the UDP transport Service to transfer packet data to and from mobile station.

Ramaswamy discloses the UDP transport server to transfer packet data to and from mobile station (see col. 1, lines 15-17).

Both Mooney, and Ramaswamy discloses TIA/EIA 136. Ramaswamy discloses the UDP transport server to transfer packet data to and from mobile station. Thus, it

Art Unit: 2616

would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Mooney with the teaching of Ramaswamy to provide the UDP transport service to transfer packet data to and from mobile station in order to send and receive data in an end-to-end packet transfer mode.

10. Claims 50, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney (U.S. Patent No. 6,577,723 B1) in view of Virtanen (U.S. Patent No. 2002/0128017 A1).

In the claims 50, 53, Mooney discloses the limitations of claim 49 above.

However, Mooney is silent to disclosing the Base Station Subsystem GPRS Protocol to transfer packet data to and from GPRS network.

Virtanen discloses the Base Station Subsystem GPRS Protocol to transfer packet data to and from GPRS network (see page 1, [004], 0004] Both circuit-switched and packet-switched data transmission methods have been developed for the European digital GSM mobile communication network (Global System for Mobile Communication), for example. During the past few years the European Telecommunication Standards Institute ETSI has drawn up standards for the GSM 2+ phase which also define a new packet-switched data transmission service known as the GPRS (General Packet Radio Service). The GPRS is a packet network which utilizes the GSM network and in which transmission of data packets on the air interface between the mobile station and the GPRS network is optimized by means of GPRS protocol layers).

Both Mooney, and Virtanen discloses the GPRS. Virtanen recognizes the Base Station Subsystem GPRS Protocol to transfer packet data to and from GPRS network. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Mooney with the teaching of Virtanen to provide the Base Station Subsystem GPRS Protocol to transfer packet data to and from GPRS network in order to define quality of service of data transmission.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/23/06


HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600